

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

RECEIVED  
USDC, WESTERN DISTRICT OF LA  
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68

JOHN E. PARK

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CIVIL NO. 05-00115

VERSUS

\*

JUDGE HAIK

STOCKSTILL BOAT  
RENTALS, INC.

\*

MAGISTRATE METHVIN

\*\*\*\*\*

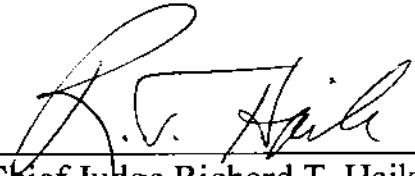
**RULING**

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Pending before the court is the 12(B)(6) Motion to Dismiss Plaintiff's Claim for Punitive/Exemplary Damages [9], filed on behalf of the defendant, Stockstill Boat Rentals, Inc. After considering the Motion and responses thereto, and being fully apprized of the premises thereof, the Court hereby **GRANTS** the defendant's Motion. *See Guevara v. Maritime Overseas Corp.*, 59 F.3d 1496 (5<sup>th</sup> Cir. 1995).

IT IS THEREFORE ORDERED AND ADJUDGED that the plaintiff's claim for exemplary damages for the defendant's alleged failure to provide maintenance and cure benefits is hereby dismissed.

THUS DONE AND SIGNED in Lafayette, Louisiana, on the 8<sup>th</sup> day  
of August, 2005.

  
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Chief Judge Richard T. Haik, Sr.  
United States District Court  
Western District of Louisiana